



*Compliments*  
*A. H. J.*

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REPORT  
OF THE  
Canadian Legislative Committee.  
ORDER OF THE KNIGHTS OF LABOR.

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OF THE

## Canadian Legislative Committee.

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### To the General Master Workman and Executive Board of the Knights of Labor :

We, your Committee, met according to arrangement at Ottawa on Monday, March 5 last, and at once placed ourselves in communication with members of Parliament representing the constituencies in which we reside, for the purpose of being introduced by them to the Government of the day. They arranged an interview for us with the Government on Wednesday, and at the time appointed your Committee, accompanied by our members, met the Prime Minister, Sir John A. Macdonald. Your Committee called the attention of the Prime Minister to the necessity for a Dominion Factory Act, on the grounds, first, that it would bring about uniformity of law throughout the whole Dominion, which, in a country like ours, with our differences of wages, hours of labor, and social customs, was very desirable, if the Provinces which pay the highest wages and work the shortest hours are to have a fair chance of competing against those who pay the lowest wages and work the longest hours, and which are the least able to obtain that strict enforcement of a factory act so essential to the requirements of the case. And, secondly, that it would settle the much-vexed question as to jurisdiction between the Federal and Provincial Governments, which at present is rendering almost useless the several Provincial factory acts. In spite, however, of the fact that a supporter of the Government had introduced such an act into the Dominion Parliament twice, and withdrew it the second time on a promise from the Government that they would introduce a Government measure the following session, which the Government did, and carried it to a second reading, arguing that the Federal Parliament had jurisdiction, Sir John Macdonald told your Committee that he had come to the conclusion that the Dominion Parliament had no jurisdiction in the matter. We then asked the Government for the enactment of a Dominion Workshops Regulation Act, made necessary by the Provincial Factory Acts only applying to premises where machinery is used, and exempting tailor, dressmaking and other shops, where inspection as to sanitary conditions is very much required. We were met with the same answer—want of jurisdiction, as we were also with respect to our demand for an Employers' Liability Bill, making employers liable for accidents that occurred to employees through their negligence or the negligence of those in authority under them. As they could not pass a law giving workmen or their survivors compensation for injuries, we asked the Prime Minister to either allow Mr. McCarthy's Bill for the protection of the lives of railway employees to pass or to incorporate it in their general railway bill that was then before the Railway Committee of the House. He said he would consult with Mr. McCarthy and try and meet our wishes in the matter. We then called his attention to the injurious system of assisting immigrants to this country to compete with and lower the wages of those already here, in a labor market in which the supply is much greater than the demand. He assured us most positively that after April 27, 1888, the assisted passages would cease, and pointed out that the amount asked to be voted for that purpose during the ensuing year was reduced by \$100,000. We asked him if he could give us any assurance that the vote would not be exceeded, as it had been during the past year; he said he could not. Your Committee, seeing it would be useless to waste their time trying to get the Government to deal with questions which they said were out of their power, and on which the two largest provinces already had some such legislation, we determined



to devote our energies to one or two important questions, where the lives of our members are continually at stake, and often sacrificed, to the *greed* or through the *carelessness* of their employers. A season of navigation never passed on our great lakes without its chapter of accidents and its crop of sacrificed human lives; and we scarcely ever pick up a newspaper without reading, or, at least, without seeing, the now familiar heading, "Another Brakeman Killed." The former generally occurs through greed in overloading vessels or not carrying men qualified to handle them, or on account of their small number, and often their entire lack of knowledge of their business, owners on our lakes preferring to carry "green hands" at unfair wages to competent hands at fair wages. The second disaster generally occurs on account of proper precaution not being taken in the construction of the cars, the lowness of the bridges under which they pass, or from not blocking the "frogs" of the switches on all railways, so that these questions appeal to the conscience of every man and woman with a spark of humanity in their constitution. We saw a much better chance of obtaining legislation on them during this session, rather than on questions that only appealed to the class interest of our people, and that these questions could be so put that no member of Parliament with a spark of manhood could oppose them.

The Chairman of your Committee took advantage of the presence at Ottawa of Bro. A. W. Wright, Secretary of D. A. 125, and with him interviewed the several Ministers under whose departments these and other questions come that we require legislation on, with a view of bringing under their notice the wants of our Order.

We waited on the Minister of Marine and Fisheries, and asked him to so amend the law in reference to the safety of ships as to prevent owners or others sending them to sea in an overloaded or unseaworthy condition, by enacting that every ship should have a load-line painted on her side so that every inspector, sailor or other person could see it, below which no vessel should be loaded; that the hulls, rigging and equipments of sailing vessels should be inspected, and that every vessel should carry a competent crew. After listening to our request the Minister promised to consider the matter and if possible to give us the legislation required.

We then went to the Department of Agriculture and Immigration to request the Minister to still further reduce the expenditure for immigration. He assured us that no public money would be spent in assisted passages, but the whole attention of the Immigration Department would be directed to distributing literature showing the advantages this country offered as a field of settlement for farmers from the old countries, with capital, and especially in Manitoba and the Northwest Territories.

We also interviewed the Minister of Justice, asking him to so amend the Seamen's Act so as to give those charged under its provisions with the serious offence of going on to a vessel against the instruction of the owner, master or mate, the right of a trial by a jury of their peers, instead of being tried and perhaps sent to a penitentiary on the judgment of a magistrate alone, under existing law. This law has been used in the past to prevent members of labor organizations boarding vessels where men were working against their own and fellow-men's interest, to consult with and advise them as to what they should do in their own and their fellow-men's interest, but the Minister informed us that the law was directed against "crimping," which was very prevalent in the Province of Quebec at the time the act was passed, but that he would look at the matter again, and would do what he could to meet the wishes of the labor organizations. We saw him subsequently and he said he had looked into the question, and found the law was only against crimping, and that so few convictions had taken place under the act that he did not feel warranted in amending the law this session. We also saw the Minister of Marine, and he said it was not the intention of the Government to introduce any legislation this session for the protection of the lives of sailors. But your Committee was determined in connection with the latter question (where not only the material and social welfare of our members were at stake, but their very lives as well) not to take "No" for an answer, and they decided that as soon as the first favorable opportunity occurred they would engage him upon the subject again. We had not long to wait, as the occasion presented itself, when Mr. Dawson moved his motion for a return, showing the number of Canadian vessels lost or wrecked on the great lakes during the past season of navigation; also the number of lives lost in the case of each wreck; also

a statement showing what, if any, steps had been taken to ascertain the cause of loss of life in each case.

This motion was moved first on February 27, and on that occasion Mr. Dawson spoke at some length. He stated that, at a previous session, he had brought this matter before the House, when he showed that during the year preceeding that in which he had brought this matter up, some three hundred lives had been lost on our lakes. He showed that last summer the barge *Oriental*, registered to carry three hundred tons, had been sent to sea in tow, loaded with seven hundred and sixty tons of coal. The weather got rough, the tow-line parted, and she went down with all hands on board. That the *John Hurlburt*, a vessel used to carry firewood, had been engaged to take some workmen down the lake; a storm came on and the captain of the tug that had her in tow, in order to save his own vessel, cut the tow line; the other vessel having neither sail or oar on board with which to keep her straight before the wind, was entirely at the mercy of the waves. She went down with thirty men, who were strangers seeking work, and all were drowned. He also cited the case of the propellor *California*, of Montreal, which left Chicago with three passengers and twenty-two of a crew. She was loaded with corn to her fullest capacity, besides which she had 690 barrels of pork on her deck. She was caught in a storm and, on account of her deck load of pork, which rolled from one side to the other, she was stove in and foundered, seven of the crew and two of the passengers being drowned. This was most clearly a case of overloading. These facts were taken from the report of the Minister of Marine, which also show that the disasters reported to this department, as having occurred to vessels on the inland waters of Canada, and to Canadian vessels on American inland waters, during the year 1887, were 39, and the tonnage involved was 13,137 tons, registered. The number of lives lost was 21, and the amount of loss, both partial and total, to vessels and cargo, as far as estimated was \$90,915.

Mr. Dawson read a statement in reference to barges in tow of tugs which demanded they should have the stability of a sailing vessel and, if not of sufficient sail power to take care of themselves under all circumstances, they should be provided with good ground tackle—that is, good anchors and chains, suitable to their tonnage. This, of itself, might be the means of saving the crew and vessel. A boat should have all necessary appliances ready for immediate use, life-buoys and life-preservers for the crew, properly placed, a captain and mate with certificates, substantial windlass and bits, towports well secured, and tow lines of sufficient length. Barge towing is very hazardous and every reasonable precaution ought to be used. When you consider the tug and her tow on a lee shore, the tow-line parted and the barge left helpless, her anchors, handled by competent men, might even then save both crew and vessel. The tug towing the barge has no security that her machinery may not give way at a perilous time, showing plainly the necessity of a barge being well found in crew and outfit. The unsecure vessels that are under repairs: *Manitoba*, *Detroit*, *Champion*, *Owen Sound*, *Frances Smith*, *Collingwood*, *Southern Belle*, *Deseronto*. The hull inspectors, up to date, know nothing of repairs done to the resurrected craft; they have no power. Hull inspectors are not privileged to use their discretion in matters of inspection materially affecting their duties. They are hampered by not being allowed to see vessels undergoing repairs. When closed up and completed the repairs are not noticeable to the inspector, and the only possibility of ascertaining the correctness of the statements furnished by owners of the repairs is by re-docking, which causes great expense and dissatisfaction.

We think when such evidence as this is produced on the floor of Parliament by capitalists it shows conclusively that the demands of the Labor party for the inspection of hulls and rigging, and for the establishment of a load-line, is very necessary. In fact the mover of the motion distinctly advocated the establishment of a line on all vessels such as is known in England as the *Plimsoll line*, below which no vessel should be loaded.

The discussion, which was quite animated, was taken part in by some of the best speakers of both sides of the House. Mr. Davin, who followed the mover in a few clear and forcible remarks, pointed out that in the case of the *California* she was valued at \$27,000, and, although unseaworthy, was insured for \$21,000, and it was a great temptation to owners to overload such vessels. He appealed to the Minister

of Marine, on the ground of humanity, to give his attention to the question with a view to an improvement of the conditions of those whose very lives are at stake.

Mr. Kirkpatrick called upon the Minister to compel the inspectors to perform their duty more faithfully and urged if thousands of lives had been saved in England by compelling all vessels to have the Plimsoll line we should have one here. He read a letter from the owner of the *Oriental* to show that she was not unseaworthy or overloaded.

Sir Richard Cartwright asked the Minister of Marine if the statement was true that appeared in some papers that certain portions of the hull of this vessel were exhibited to him and were found in a state of advanced decay.

Hon. Mr. Foster said some very small portions of the vessel had been brought to the department for examination, and labels had been put on them to show the parts from which they came. It is scarcely possible until the vessel is raised, as I believe the owner intends to do, to say, accurately, whether it is true that these came from those portions of the vessel or not. He said it must not be supposed that the Government at any time neglected to do their duty to protect the lives of men engaged in our inland marine, and, in reply to Mr. Kirkpatrick said the inspectors generally did their duty and that the examination which was held on the cause of the foundering of the *Oriental* proved she was unseaworthy.

Dr. Sproule made an able speech in favor of the motion. He pointed out the need of better inspection while in port and during building, repairing and loading, and the necessity of the inspectors being shipwrights.

Mr. Masson and Mr. Walsh also supported the motion, the latter being a large vessel owner from Prince Edward Island.

Mr. Wilson, of Elgin, supported the motion and called attention to a paragraph that appeared in the *Empire* which said the Minister of Marine had given notice of a bill to enable men to act as engineers on small pleasure boats on our inland waters without passing a regular engineer's examination, but by passing the boiler inspector.

Mr. McNeil spoke in favor of the motion, and asked for the institution of the Plimsoll load line.

Mr. Taylor said he had been instrumental in moving in the matter mentioned by Mr. Wilson by introducing the deputation to the Minister for the relaxation complained of, but said it was only to apply to small pleasure steamers of 20 or 30 tons.

The Minister of Marine said he was going to introduce a bill dealing with the suggestion of the member for Leeds.

After Mr. Lister had spoken in favor of more rigid inspection, and some remarks from Mr. Baker in reference to inspection while loading, Mr. Dawson withdrew the motion.

The wood referred to above was part of the hull of the vessel "*Oriental*," which had been picked up at the scene of the wreck and forwarded by Bro. J. T. Carey, of St. Catharines, to the Chairman of your Committee, and by him delivered to the Minister of Marine, and contained, among other parts of the vessel, the very board on which her name was painted, so that there was not much room for the Minister doubting its being part of the "*Oriental*."

On the evening of the afternoon on which the discussion referred to above took place (April 12) Mr. McCarthy's Bill for the Protection of Railway Employees came up for discussion. In the absence of the mover of the bill, Mr. Denison moved its second reading, and, in speaking in favor of such legislation, said that during 1886 there had been 357 accidents, eighty-four of which had resulted in death among men working on the tracks and in coupling cars in Canada. He produced a copy of a presentment of the Grand Jury of the County of Elgin praying for the enactment of laws similar to the one under discussion.

Mr. Cook supported the bill very warmly, and said the Dominion Government should pass some such act as the one under consideration, because by an act passed by the present Government taking control of all inter-Provincial railways they had deprived the railway employees of the Province of Ontario of the benefits of an act of this kind which he introduced into the Ontario Legislature, and which was ultimately passed by the Ontario Government. He thought the bill should go farther, and compel railway companies to have their switches open at least six inches. He



said that in view of the large number of persons employed on railroads it was the duty of the Government to make every protection of life and limb. He cited a case in which a man working on the Midland Railway met with an accident and sued the company for damages under the Ontario Act, but, on account of the action taken by this Government the Ontario Act did not apply and the complainant was non-suited.

Mr. Jones of Halifax thought in an important matter like this the Government should take it up and make it a Government measure.

Dr. Wilson of Elgin spoke very strongly in favor of the bill, and agreed with the previous speaker that the bill was of such great importance, affecting as it did the lives of so many of our most valuable citizens, that the Government should incorporate it in their general railway bill. He said no men ran greater risks to life and limb in the service of the public than railway employees, and it was the duty of the Government to afford them every protection in their power. When the Government assumed the control of the Provincial roads they deprived the men of the protection of Provincial legislation, and they should have made provision for the blocking of the "frogs" and other safeguards by which the lives of the men could be protected. He dwelt on the indifference of the public to the danger the men had to undergo, and advocated the establishment of the best and safest running boards that could be obtained. He concluded a long and able speech by saying that it gave him great pleasure to support the bill.

Mr. Shanly said there was no objection, so far as he was concerned, to the bill going to a special committee, but so far as the bill itself was concerned, it was a Rip Van Winkle bill. He did not believe that any legislation of this House could ever settle these questions; that the subject was now engaging the attention of a far abler parliament than ever did or ever will assemble within these walls for this particular purpose—a parliament composed of men of the best trained intellects of the world. It is a parliament composed of the master mechanics of the continental railways, in which Canada is represented, and in which every man knows what he is talking about. They had already issued a decree abolishing the old fashioned coupling, which had been the cause of so much loss of life and limb. The decree had gone forth that on all continental roads the automatic coupler must be used. He said that before the bill now before the House could take effect on the millions of cars on this continent the necessity for brakemen running along the tops of cars will have passed away forever. He said the clause in reference to running boards was useless, because it could only apply to the comparatively small number of cars owned in Canada, and not to the large number owned in the United States that passed over our railways. He was in favor of the clause providing for the blocking of frogs.

Mr. Lister spoke strongly in support of the bill, and said the tendency of our time was for a Government to surround the lives of working people with every possible safeguard, and if the manufacturers were compelled to do so, the railway companies should be compelled to make some provision for the protection of the lives of the thousands from the dangers incident to their employment. He opposed referring the bill to a special committee—that would prove a delusion and a snare. The workmen are led to believe the honorable gentleman who introduced the bill was their friend, and if it is referred to a special committee it means that the bill will not be crystallized into law during this Parliament, and probably never. He concluded by pressing the House very strongly to adopt the clause in reference to blocking frogs, giving several instances where men had lost their lives through this precaution not being taken.

Mr. Tisdale was in favor of sending the bill to committee, and if the committee did not suit Mr. Lister he would second any committee that gentleman would name. He was in favor of blocking the frogs, but thought if we adopted a running board with all these safeguards and the brakemen got used to and relied on them, when they got on an American car without such safeguards, they would be sure to go through, and if you consulted brakemen he would venture to say it was doubtful whether they would approve of these improvements on mixed trains. He said we should not legislate on such matters without taking the opinion of persons used to managing great railways.

Mr. Barron was opposed to the bill going to a committee, because that would deprive the workmen of the protection of its provisions for another year. He was



so, the bill did not deal with overhead bridges, because it had been held by the courts that the section in reference to overhead bridges in the general railway bill did not apply to the Grand Trunk Railway Company as lessee of the Midland Railway, and the company has, as a consequence, escaped the obligation to raise the overhead bridges to the proper height. In the Province of Ontario, on about half the roads, the brakemen had not the protection of the overhead clause, on account of the roads being leased. Thus it was that in a case where the Grand Trunk was morally responsible for the loss of a man's life, it escaped that liability by reason of our legislation not being sufficient to meet the case.

Mr. Temple was in favor of the clause in regard to blocking frogs, but thought the clause in reference to running boards and oil cups impracticable.

Mr. Armstrong said he was happy to hear that the greatest intellects of the continent were considering this subject, and we may expect to have the matter settled as soon as they see fit, and that all these evils will then be remedied, but he thought they were a mighty long time about it. Thousands of lives had been lost during the last thirty-five years—in fact, not a week passes but we hear of the death or the maiming of some railway employee—yet these demi-gods have been asleep on a journey all that time, and it is only now, when there is an attempt to do something, they tell us to keep quiet and they will settle the whole difficulty. I cannot help thinking that it will not do for us to shelter ourselves behind those gigantic intellects. Although our intellects may be small and our experience limited, yet we have a great responsibility resting upon us. These men we desire to protect are the employees of rich and powerful companies; they are exposed to the greatest dangers, and have not the power to protect themselves. So well known is this that insurance companies charge the highest premiums to brakemen, and it is a well-known fact, established by statistics, that the life of the brakeman is the shortest of any class. And it is therefore high time that the House took action in the matter.

Dr. Sproule was in favor of the bill going to a committee with a view to the consideration of some desirable amendments, but thought it was important in the interest of humanity that some action should be taken in the direction indicated by the bill. He believed it was intended to go further in this law, and provide that compensation be given for all accidents to employees on the road, no matter from what cause. Other countries had adopted it and found it to be not injurious to the railways and to be beneficial to the employees; and, remembering the large number of accidents, and the careless indifference which is generally exhibited by railway companies as to the safety of their employees, it becomes all the more important that the Legislature should pass such an imperative law to compel them to provide for the safety of human life.

Sir Charles Tupper said he had listened to the discussion with a great deal of interest, and felt the force of what had been said on both sides of the House as to the great responsibility that rested on the Government in relation to a matter of this kind, affecting the safety of human life, and the prevention of a great number of very deplorable accidents. He thought the debate had better be adjourned till the mover was in the House, and then the bill could be brought forward, and suggestions can be made, and the Government can incorporate any feature of this bill in their general railway bill. The debate was adjourned.

When the bill was reached again Mr. McCarthy, who was present on this occasion, made a very able speech, giving facts and figures in support of the bill. He said he desired to press the bill; that whether or not the Government incorporated it in their railway bill, some of its provisions should be passed this session. This bill deals with three matters: compelling the packing of frogs, ordering that the oil cups used for oiling the valves of the locomotives shall not be placed outside, and requiring that the running boards on top of freight cars shall be a certain width. He said he was not wedded to any of the remedies suggested in the bill, and was willing to accept and adopt amendments from any quarter that would make the bill more effective in protecting the lives of our railway employees. He acknowledged the difficulties of obtaining uniformity in running boards on account of our Government only having power to pass laws regulating the width of running boards on Canadian cars; many of the cars passing over our railways belong to American lines. He thought the bill should be sent to a small, select committee of the House. Since

the bill had come before the House he had many suggestions made to him to improve it. They could all be discussed by the committee, and the House could adopt those most suitable to meet the objects sought by the bill.

Mr. McCarthy pointed out that the question was being dealt with in the neighboring Republic, and said he understood the power brakes were in use on the Pacific roads, on the Denver and Rio Grande, the Pittsburg, Cincinnati and St. Louis, the Chicago, Burlington and Quincy, and the Topeka and Santa Fe. If it is in force on these railroads it is not impossible that it should be used on ours. At the same time the automatic coupler was coming into use by legislation in some of the states of the Union. At the present time, in the States of Connecticut, New York, Michigan and Massachusetts these automatic couplers are required to be put on all cars, under a penalty, after a certain date. He said the greatest danger exists in coupling cars, and he had found that in this country, in 1885, 285 men were killed while coupling cars, and, in 1886, 222. In 1885 there were 117 killed by falling from engines or cars, and in 1886 there were 67. He asked the House to refer the bill, and afterwards the House could, under the direction of the Government, take such action as they pleased on the report.

Sir Charles Tupper said that there was no objection to a second reading of the bill, but he would suggest that, instead of a special committee, it should be referred to a committee of the whole House, and should be brought up when the bill of the Minister of Railways was under consideration. He assured the House that every opportunity would be given for discussing the bill then.

Mr. Laurier agreed with the suggestion of Sir Charles, and said that he believed a large number of members on both sides of the House are disposed to favor the bill. If there was any difference of opinion in regard to it he could see reason for referring it to a special committee, but, in view of the consensus of opinion, he thought the suggestion of the Finance Minister was a reasonable one. Mr. McCarthy accepted the suggestion, and the bill was read a second time.

Your Committee soon discovered that it was not only necessary to press for measures of reform in the interest of the masses, but that it was also necessary to use the utmost vigilance to preserve the few rights we at present enjoy. Pressure had evidently been brought to bear on the Government, by the owners of small passenger steamers, who, in their desire to obtain cheap labor, have so little regard for the lives of passengers who ride on their boats. They evidently had requested the Government to make certain amendments to the Steamboat Inspection Act, which compels every person to pass an examination before the Board of Steamboat Inspectors previous to their being qualified to run an engine on any steamboat in Canada; and before obtaining a fourth-class certificate under the act, such person must be over twenty-one years of age, and shall have served an apprenticeship of not less than three years in a steam engine shop, and been employed on the making and repairing of steam engines, or, if not served such apprenticeship, he shall have been employed for not less than three years as a journeyman mechanic in some workshop or the making and repairing of steam engines, or shall have served at least three years in some engine room of a steamboat as engineer on the watch, or he shall have served not less than four years in the firehold of a steamboat of not less than thirty nominal horsepower, as fireman on the watch; and in any of the above-mentioned cases twelve months of the time prescribed may have been served in a boiler shop or the making and repairing of steam boilers. He shall be able to read, and write in a legible hand; he shall understand the construction and operation of the feed-water pump, water gauges and safety valves: he shall know when a boiler is foaming, and how to stop the foaming, and also the danger resulting from neglect to keep a boiler clean, and the usual methods of cleaning it. They sought to have the act so amended that, without fulfilling any of these conditions, upon the report of the Inspector of Boilers and Machinery to that effect, an applicant for a permit under this Act is sufficiently qualified to obtain the same, and grant to such applicant a permit authorizing him to act as engineer on a steamboat carrying passengers and of less than twenty tons registered tonnage. Your Committee saw that in this, as in all other matters, the interests of labor and humanity were identical, and determined to exert themselves to the utmost to prevent its passage in the shape it was introduced, as we considered

it would permit men to run engines or boats where hundreds of human lives are hourly at stake, who had simply a book knowledge, and at once sought (and through the interest taken in these questions by Mr. Patterson, of Essex) was able to obtain an interview with the Minister of Marine at once: Your Committee pointed out to the Minister the great danger to human life by allowing unpractical men to become engineers on board steamboats carrying hundreds of lives, and gave him frankly to understand that we considered the bill was not in the public interest, but solely in the interest of a class of people who wanted cheap labor, though it had to be obtained at the imminent risk of the lives of the public. Your Committee have reason to believe that their exertions were not in vain, as the bill has since been amended in the direction desired by us.

At the interview above mentioned we took advantage of the opportunity to have a long conversation with Hon. Mr. Foster on another branch of the same subject, and of equal importance to the Order—the necessity of a bill to protect the lives of our sailors. Your Committee took the ground that under the law as it stood, requiring a sailor to make a deposit sufficient to pay the expenses of inspection and detention of any vessel detained on his or their complaint, rendered the act quite inoperative, and played into the hands of a class of men who would and do deliberately over-insure and overload an unseaworthy vessel, and send her to sea totally regardless of what becomes of the lives of those on board, as long as their avarice and greed for wealth is satisfied; and that the working people thought, seeing that the first duty of government was to protect life and property, they should reconsider their former decision, and give us a measure this session to meet the object in view. The Minister listened very attentively to what we had to say and discussed some points for a while, and ultimately told us to wait and see what the Government would bring down. That night he gave notice that he would introduce a bill in reference to the safety of ships. The bill was introduced accordingly, and, while being very good as far as it went, did not by any means meet the requirements of the case. It provided, in an indefinite way, against overloading, but failed to apply the sure but simple remedy of establishing a load line, below which a vessel should not be allowed to load; provided no way by which an owner could recover damages whose vessel had been unjustly detained, and made it next to impossible to obtain a conviction against an owner who had violated the spirit of the law. Your Committee at once set to work to try to influence members on both sides of the House in favor of the establishment of a load line, and to have inserted in the bill a clause compelling all owners of vessels to carry the necessary number of competent men, and also to reconcile the vessel owners in the House to the bill by so amending it as to give them a claim against any person who maliciously detained a vessel, and which would not in any way impair the practical and effective working of the act. For this purpose we suggested the following amendment:

"Any person making complaint to any collector or chief officer of Customs, under the provisions of this Act, of any vessel, whereby such vessel is detained, shall be guilty of a misdemeanor, if it be proved before any court of summary jurisdiction, that such complaint was made maliciously and without reasonable grounds for believing that by such vessel proceeding to sea human life would thereby be endangered, and shall be liable for any expense that may accrue to the owner or owners of such vessel by such detention, or in default of payment of such expense, or such part thereof, as such court of summary jurisdiction may determine, shall be committed to prison, for not less than fourteen days or more than three months."

By the time we had arrived at this stage of the question, we were within a few days of the prorogation of Parliament, and being anxious to have other amendments incorporated in the bill, your Committee waited on the Minister of Marine to ascertain if he would, on behalf of the Government, consent to such amendments as would provide for a load line and carrying a competent crew on all vessels. Your Committee first having obtained the information that a number of members of parliament, who are large vessel owners, had waited on him, and that they were not opposed to the demands of labor, but that, on the contrary, they thought our demands very moderate and in the interest of humanity. The Minister said it was a large subject, and he found there was such a variety of interests to deal with in connection with the subject; that his bill did not meet the views of either the vessel owners or of our Order; that it was too late in the session now, when

every one was anxious to get home, to frame a bill dealing with the whole question of inspection, hulls, rigging, and equipment, and number of crew, and load line; and that even if he had time to prepare such a bill, which he had not, there was not time to obtain for it that consideration in the House which its importance demanded, and that he had made up his mind to make a statement to Parliament to that effect and promise that during the recess he would have a bill drawn up dealing with the whole subject in a more comprehensive way than the present bill. Your Committee pointed out that while the bill now before the House did not go as far as we wished, every resolution passed by the labor organizations of the country had approved of the bill as far as it went, and we were willing it should pass as it stood, but that if the Government would give us such a bill next session as he had promised, we would be satisfied, provided that in the meantime, with the view of preventing loss of time during the ensuing season, he would cause to be issued by his Department a circular warning all vessel-owners that if they sent their vessels to sea in an unseaworthy condition, the present law would be rigorously enforced. In reply he said that he might let some of the clauses of the bill now before the House stand, so as to afford some additional protection for the present.

By the presence of your Committee at Ottawa, the case of some Belgian brothers, who had been induced under false promises, in the shape of signed contracts, to come to this country, was brought before the House. These brothers had been induced to leave their native country by a scoundrel of an immigrant agent named Watelet, who had entered into a written contract to bring them to Montreal and find them all employment at from \$2.50 to \$3.00 per day. The men broke up their homes in Belgium and came to this country during the very inclement part of this Spring. And when they arrived at Montreal, Mr. Watelet left them to the tender mercies of the world in a foreign country, and proceeded to Winnipeg with some more of his dupes, without making the least effort, so far as we can ascertain, to find them employment. The men, being left under such circumstances, naturally looked to the Order to investigate their case. The contract entered into (or paper headed "The Government of Canada") was forwarded to your Committee, who at once showed them to an eminent lawyer for the purpose of ascertaining if we could not have Watelet arrested and criminally prosecuted, but were told that we could not. We at once went to the Department of Immigration and saw the Minister himself; he expressed his great surprise at such conduct on the part of Watelet, and at once summoned his Deputy for an explanation. This official said Watelet was not an authorized agent of the Government, but simply got a commission on every immigrant that he brought out; that he had been warned, in fact prohibited, from calling himself a Canadian agent. Your Committee asked the Minister, in face of these facts, what he proposed to do with this man. He asked, in reply, what could he do? We told him we thought that if, in any other capacity, a man had made a contract on paper that had on it the name of the Canadian Government, the Government would find out through their Minister of Justice. He asked us to leave the contracts and he would have the matter investigated. We called at the department a few days afterwards and were informed by the Deputy Minister that Mr. Watelet had been there and that he had been most severely reprimanded, returned us the papers, and said that was all they could do in the premises. We were not satisfied with the answer, and determined to have the question brought before the House.

Mr. Holton very kindly put the following on the notice paper:

Whether P. Wateret is employed by Government, in Belgium or elsewhere, as emigration agent, or in any other capacity? If so, what are his position and duties, and how are his services remunerated? How many immigrants have come to and settled in Canada through his agency during the past year? Is the Government aware that, acting as a Canadian emigration agent, or pretending to be such, the said P. Wateret has very recently induced the removal from Belgium to Montreal of a number of artisans, under the promise and guarantee of immediate and profitable employment there; that since their arrival in Montreal a number of these men have not succeeded in obtaining employment, and that no effort has been made by him or by Government officials in that city to procure employment for them?

Mr. Carling—This refers to Paul Watelet, not Wateret. He is not an agent of the Government,



nor employed by it in any capacity. He is a steamship agent in Belgium, and is allowed the same commission as all other agents on the continent of Europe, for immigrants actually arriving in Manitoba, but not for any sent to any of the old Provinces. The Government is not responsible for any immigrants he brings out, nor for any representations made by him. As a consequence, however, of some statements furnished to the department, an enquiry is now being instituted respecting some immigrants brought by him to Montreal.

Learning that Mr. Watelet was in Montreal, we at once telegraphed to our colleague, Bro. J. F. Redmond, to apply to the Police Magistrate and see if he could not order his arrest. The Magistrate said he had no power to do so, and Bro. Redmond took legal advice to see if he could not have Watelet detained while a civil suit was entered, and he was informed that there was not any law in the country by which he could be punished. Having the promise of Mr. Peter White, Chairman of the Immigration Committee of the House, that your Committee would have a hearing before that Committee, we at once wrote Bro. Redmond for all particulars as to their present condition, so that we could bring the matter before the country. Knowing we would have to meet the Deputy Minister, and that he would make every excuse for Watelet, we took the evidence supplied by Bro. Redmond, and sure enough he was there with a statement which he said was furnished by the Government Agent at Montreal, and which set forth that nearly all the Belgians were working at good wages. We produced our statement showing that a large number of them were out of work, and huddled together in two or three bare rooms, cooking a bit for themselves as they could get it. The others were working for about half the wages promised them by the agent who brought them out. Your Committee also went into the question of pauper immigration. This question has been brought prominently before the labor party by the overcrowded state of the labor market and the great increase of pauperism during the last winter, which was so great that the resources of the charitable societies were exhausted, and, in Toronto, relief public works had to be started, to prevent having to feed the out of work population on charity soup. Your Committee also strengthened its position by producing cablegrams from Great Britain showing that great efforts were being put forth to relieve the ratepayers of the burden of keeping their paupers, by shipping them out to this and other colonies. We laid before the committee the valuable statistics collected and prepared by Bro. D. J. O'Donoghue, which showed that while the population of the Province of Ontario at the last census was 1,924,148, the Canadian-born were 1,493,351, and the foreign-born were 430,797, or less than twenty-five per cent. of the whole, and that the criminal, pauper, lunatic, and charitable statistics show that nearly fifty per cent. of such classes are foreign-born; showing further, that by our system the country is not only paying to bring working people to a country where the labor market is already overstocked, but is bringing a class of people here who are a burden on the public after they get here, and if that had been the case in the past when we have been led to believe the immigrants have been very carefully selected, it would be much worse if this country allows the old country to ship their pauper and vicious classes to this country. A very animated discussion took place among the members of the House Committee on the subject. Dr. Ferguson, of Welland, and Dr. Wilson, of Elgin, spoke very strongly against the present system of bringing pauper and often diseased children to this country, and said the Government should take every precaution to prevent the classes referred to by your Committee from being shipped to Canada.

Your Committee also interviewed the Minister of Agriculture in regard to this subject and pressed upon him the desirability of issuing a proclamation in Britain warning the poor-law authorities there that if such people were sent here they would be sent back. He said he did not like issuing such a circular, because it might be taken as a protest against desirable immigrants from coming here to settle in our great Northwest Territories. We told him we thought a circular could be so worded as to overcome that difficulty. He promised to consider the matter and try to meet our wishes.

It is an old saying that the sting of a resolution is generally in its tail, and it is the same with a session of Parliament, for at a very late date of the session, a bill was reported from the Railway Committee, with over three hundred clauses, giving the companies extraordinary powers, and very summary means of enforcing those

powers. And to judge properly of the enormity of some of these clauses, and the ease with which a company can get a conviction, carrying with it the most severe punishment for what may after all be a very small fault, and how hard it would be to get a conviction against employers under the provisions of another bill, which was introduced by request of the labor organizations, for the protection of the lives of sailors, the first three clauses here given are from the Railway Act, and are for comparison with the second three clauses which follow them from the Safety of Ships Act :

**295.** Every officer or servant of, and every person employed by the company, who wilfully or negligently violates any by-law, rule or regulation of the company, or any order or notice of the Railway Committee, or of the Minister or of the inspecting engineer, of which a copy has been delivered to him, or which has been posted up or open to his inspection in some place where his work or his duties, or any of them, are to be performed, if such violation causes injury to any person or to any property, or exposes any person or any property to the risk of injury, or renders such risk greater than it would have been without such violation, although no actual injury occurs, is guilty of a misdemeanor, and shall, in the discretion of the court before which the conviction is had, and according as such court considers the offence proved to be more or less grave, or the injury or risk of injury to person or property to be more or less great, be punished by fine or imprisonment, or both ; but no such fine shall exceed four hundred dollars and no such imprisonment shall exceed the term of five years. R.S.C., c. 109, s. 117.

**296.** Whenever such violation does not cause injury to any person or property or expose any person or property to the risk of injury, or make such risk greater than it would have been but for such violation, the officer, servant or other person guilty thereof shall, on summary conviction, be liable to a penalty not exceeding the amount of thirty days' pay, and not less than fifteen days' pay of the offender from the company. R.S.C., 109, s. 118 *part*.

**297.** The company may, in all cases under the two sections next preceding, pay the amount of the penalty and costs, and recover the same from the offender and deduct it from his salary or pay. R.S.C., c. 109, s. 119.

#### From the Safety of Ships Act :

"**6.** Every owner, managing owner, agent or other person who sends or attempts to send or is a party to sending a ship, registered in Canada, to sea or on a voyage on any of the inland waters of Canada, or on a voyage from any port or place on the inland waters of Canada to any port or place on the inland waters of the United States, or on a voyage from any port or place on the inland waters of the United States of America to any port or place on the inland waters of Canada, in such unseaworthy state that the life of any person is likely to be thereby endangered, is guilty of a misdemeanor, unless he proves that he used all reasonable means to insure her being sent to sea or on such voyage in a seaworthy state, or that her going to sea or on such voyage in such unseaworthy state was, under the circumstances, reasonable and justifiable ; and for the purpose of giving such proof, the owner, managing owner, agent or other person may give evidence in the same manner as any other witness :

**2.** Every master of a ship registered in Canada, who knowingly takes the same to sea, or on a voyage on any of the inland waters of Canada, or on a voyage from any port or place on the inland waters of the United States of America to any port or place on the inland waters of Canada, in such unseaworthy state that the life of any person is likely to be thereby endangered, is guilty of a misdemeanor, unless he proves that her going to sea or on such voyage in such unseaworthy state was, under the circumstances, reasonable and justifiable ; and for the purpose of giving such proof he may give evidence in the same manner as any other witness :

"**3.** No prosecution under this section shall be instituted except by or with the consent of the Minister."

Your Committee at once pointed out the harshness of these clauses, and also interviewed the Minister of Justice, who had charge of the bill, and called his attention to the severity of the clauses first above given. He said there were no such clauses in the bill ; that the penalty for a breach of a by-law was forty dollars. We told him that it was a fine of four hundred dollars and five years in prison. He asked under what clause, and we gave him the number. He went into the House, and they went into committee on the bill that night. We used our utmost endeavors to get some member to oppose the obnoxious clauses, and secured a champion in Mr. J. D. Edgar, one of the ablest politicians in the House. Your Committee thought, arbitrary as these clauses were, seeing it was a Government measure, we had better be quite within the bounds of moderation in our requests to have it amended, so we simply asked that the bill be so amended as to compel the companies to serve their men with a copy of all rules, regulations and by-laws they had to obey, and for the breach of which, though no injury was done to any person or property, they were liable to such severe punishment as a fine of four hundred dollars and imprisonment for five years. Mr. Edgar moved to so amend the bill, but the amendment, reasonable as it was, was voted down by the *representatives of the people*.

One very important and useful amendment was suggested by Mr. Wm. Mulock and ultimately incorporated in the Railway Bill, to the effect that any person who may be injured by non-compliance with the provisions of the act shall be entitled to damages from the company, no matter what agreement he may have signed to the contrary. This is a great benefit to the railway employees, as many of them are compelled to sign away their legal rights before they can obtain employment. On the motion of Mr. Mulock, clause 296 was struck out. Other amendments were made of a useful character, and the bill was passed.

During the discussion of Mr. Edgar's amendment, Dr. Sproule, who had during the session of Parliament, indulged in a good deal of cheap sympathy with the workmen, on this occasion, when he had an opportunity of proving the sincerity of that sympathy, spoke and voted against an amendment which was to do such scant justice to the railway employees.

After the main clauses of the bill had been passed, Mr. Denison took up Mr. McCarthy's bill, which the Government had promised to incorporate in their bill. He moved the following :

The expression "packing" means a packing of wood or metal or some other equally substantial and solid material of not less than two inches in thickness, and which, where by this Act any space is required to be filled in, shall extend to within one and a-half inches of the crown of the rails in use on any such railway, shall be neatly fitted so as to come against the web of such rails, and shall be well and solidly fastened to the ties on which such rails are laid.

On every railway at all times after the coming into force of this Act, the space between the rails in each railway frog extending from the point thereof backward to where the heads of such rails are not less than five inches apart and the space between each wing rail and railway frog, and between each guard rail and any other rail fixed and used alongside thereof, and between all wing rails where no other rail intervenes, shall (save only where such space between the heads of any such wing rail and railway frog as aforesaid, or between any such guard rail and other rail fixed and used alongside thereof as aforesaid, or between the heads of any such wing rails where no other rail intervenes as aforesaid, is either less than one and three-quarters of an inch or more than five inches in width) be filled in with packing.

MR. SHANLY. The filling of frogs should be kept entirely distinct from the filling of wing rails, and I therefore move in amendment the following :—

"That as regards frogs, the space behind and in front of every railway, frog or crossing, and between the fixed rails of any switch where such spaces are less than five inches in width, shall be filled with packing up to the under side of the head of the rail."

MR. DENISON. I do not accept the amendment, because it is intended to save the employees a little work.

MR. SHANLY. And it may save passengers from very serious accidents.

MR. LISTER. Will the honorable member for Grenville (Mr. Shanly) explain how his amendment differs from the sub-section proposed?

MR. DENISON. As I understand the amendment of the honorable member for Grenville (Mr. Shanly), it is the same as the provision proposed by the member for North Simcoe (Mr. McCarthy) in reference to the frogs, saving as to winter rule. He proposes that the frogs can be taken up in the winter time and the snow swept from end to end, with a broom, I suppose. It is only a question of a little extra work for the employees.

Amendment proposed by Mr. Shanly agreed to.

MR. SHANLY. I beg to move as follows :—

"The space between any wing rail and any railway frog, and between the guard rail and the track rail alongside of it, shall be filled with packing at their splayed ends so that the whole splay shall be so filled with it where the width of the space between the rails is less than five inches; such packing not to reach higher than to the under side of the head of the rail, and provided that it may be in the discretion of the Privy Council to allow such filling to be left out from the month of December to the month of April, both months inclusive."

He said: This has been taken from the statute of Ontario and has been found to work very well there. The only difference is that I leave it to the discretion of the Railway Committee of the Privy Council to say whether the packing can be taken out in the winter.

MR. HICKEY. I should say that the wing rail is more dangerous than the frog, for if a man gets his foot between the wing rail and the main rail he is held there. If a man gets his foot in the frog he can take it out.

MR. SHANLY. The foot would need to be very small to get between the wing rail.

MR. EDGAR. I am of opinion that the danger will be just as great in the winter as in the summer time.

MR. MULOCK. This is suspending the provisions of the Act for four months. I think the time could be made shorter than that.

MR. SHANLY. It leaves it optional with the Railway Committee of the Privy Council.

MR. MULOCK. The option would be sure to be availed of.

In reference to the clause providing for wide running boards, in the McCarthy

Act, Mr. Thompson, Minister of Justice, said: "I wish to make a suggestion with regard to running boards. The House heard a good deal of discussion when Bill No. 5 was up for a second reading, and I think it was understood at that time that it would be unwise to adopt immediately the provisions it contained. There is every disposition, I am sure, to make every possible provision for the protection of railway employees who have to use running boards; but there was the practical difficulty suggested that it would perhaps be unwise in Canada to adopt a provision for a running board 30 inches in width because many American railways have narrower foot-boards. I do not say that the House should refrain from adopting a provision of that kind, unless we are prepared to put something in its place. Therefore, I propose to insert in section 10, which confers powers on the Railway Committee, this sub-section instead of sub-section 6:

"To make regulations with respect to the method of passing from one car to another, either inside or overhead, for the safety of railway employees passing from one car to another, and for the coupling of cars."

This will enable us to adopt that provision and any other appliances, as soon as it can be done with safety."

We were surprised that Mr. Thompson should make such a statement as the one he did in introducing this sub-section, when the facts are that when the Bill was up for a second reading a majority of those who spoke were in favor of adopting the wide running boards. Your Committee made a personal inspection of hundreds of Canadian and American cars and found in every case the running boards on American cars were wider than those on Canadian, and so reported to the Minister of Justice, and yet he made the above statement to the House, and as he was representing the Government it was accepted. Thus the brakemen, on whose behalf the bill was mainly introduced, are left without any additional protection by reason of the insertion of the above sub-section.

Up to this stage of our work your Committee had confined their efforts mainly to interviewing and trying to influence the Government and their supporters, but as these parties had defeated Mr. Edgar's amendment to clause 295, we did not intend to let it pass the House without a division, so that the workingmen in the different constituencies could see who were their real friends in the House on such an important question. As Mr. Edgar had moved the amendment in committee we naturally put ourselves in communication with him, requesting him to move an amendment to the bill on the third reading, similar to the one he moved in committee, which he consented to do, and accordingly when the bill came up for a third reading and the question being again proposed on the main motion, Mr. Edgar moved in amendment thereto:

"That the bill be not now read the third time, but that it be referred back to a Committee of the Whole, for the purpose of amending Section 295 thereof by striking out the word "or" where it occurs in the 6th line thereof and inserting the word "and" in place thereof."

And the question being put on the amendment—it was negatived on the following division:

## YEAS:

## Messieurs

Armstrong,	Cook,	Labrosse,	Platt,
Bain ( <i>Wentworth</i> ),	Curran,	Landerkin,	Purcell,
Barron,	Dessaint,	Lang,	Rinfret,
Beausoleil,	Edgar,	Langelier ( <i>Quebec</i> ),	Rowand,
Bechard,	Edwards,	Laurier,	Sté. Marie,
Bernier,	Eisenhauer,	Lister,	Scriver,
Borden,	Fiset,	Livingston,	Somerville,
Bourassa,	Fisher,	Lovitt,	Trow,
Bowman,	Geoffrion,	McMillan ( <i>Huron</i> ),	Turcot,
Brien,	Gillmor,	McMullen,	Watson,
Burdett,	Guay,	Meigs,	Weldon ( <i>St. John</i> ), and
Cartwright (Sir R.),	Holton,	Mitchell,	Wilson ( <i>Elgin</i> ).—54.
Casey,	Innes,	Paterson ( <i>Brant</i> ),	
Cockburn,	Jones ( <i>Halifax</i> ),	Perry,	



## NAYS:

## Messieurs

Bergeron,	De-jardins,	Langevin (Sir Hector),	Putnam,
Bergin,	Dickinson,	Laurie,	Reid,
Bowell,	Dupont,	Macdonald (Sir Jonh),	Riopel,
Boyle,	Ferguson ( <i>Renfrew</i> ),	Macdowall,	Robillard,
Brown,	Ferguson ( <i>Weland</i> ),	Mackenzie,	Roome,
Bryson,	Foster,	McCulla,	Skinner,
Cargill,	Freeman,	McDonald ( <i>Victoria</i> ),	Small,
Carling,	Gigault,	McDougald ( <i>Pictou</i> ),	Smith ( <i>Ontario</i> ),
Carpenter,	Girouard,	McGreevy,	Sproule,
Caron (Sir Adolphe),	Godbout,	McKay,	Stevenson,
Chapleau,	Gordon,	McLelan,	Taylor,
Chisholm,	Grandbois,	McMillan ( <i>Vaudreuil</i> ),	Temple,
Choquette,	Guilbault,	McNeill,	Thompson,
Cimon,	Guillet,	Madill,	Tupper (Sir Charles),
Cochrane,	Hale,	Mara,	Tyrwhitt,
Colby,	Hall,	Marshall,	Vanasse,
Corby,	Hesson,	Masson,	Wallace,
Costigan,	Hickey,	Mills ( <i>Annapolis</i> ),	Weldon ( <i>Albert</i> ),
Coughlin,	Jamieson,	Montague,	White,
Coulombe,	Joncas,	Montplaisir,	Wilmot,
Daly,	Jones ( <i>Digby</i> ),	O'Brien,	Wilson, ( <i>Argenteuil</i> ),
Daoust,	Kenny,	Perley ( <i>Assiniboia</i> ),	Wilson ( <i>Lennox</i> ), and
Davis,	Kirkpatrick,	Perley ( <i>Ottawa</i> ),	Wood ( <i>Westmoreland</i> ).
Dawson,	Labelle,	Porter,	—98.
Denison,	Landry,	Prior,	

And the question being put on the main question ;—it was agreed to.

The bill was accordingly read the third time and passed.

With the settlement of this question our legislative work was done. But we cannot bring this report to a close without acknowledging the very great service rendered to our cause in the House by Dr. Wilson, of Elgin, on all questions affecting our interest that came up for discussion, as well as by J. D. Edgar and James Lister, on the Railway Bill and the Bill to protect the lives of the Sailors. If the latter bill had been proceeded with, Mr. Edgar had amendments prepared to move to it, and which if carried, would have made it all we desired. We also had valuable assistance and advice on the Safety of Ships Bill from Mr. J. C. Paterson, of Essex, and Mr. John Lovitt, of Yarmouth, N.S.; as well as from Dr. Ferguson, of Welland, on the pauper immigration question; and we wish to thank Mr. G. R. R. Cockburn and J. J. Curran for voting against their party on Mr. Edgar's amendment to the Railway Bill. And we also wish to acknowledge the energetic and prompt help rendered to your Committee by Bro. D. J. O'Donoghue, of Toronto Trades and Labor Council, Bro. J. T. Carey, of St. Catherines, and Bro. Charles March and his colleagues of the Parliamentary Committee of the Dominion Trades and Labor Congress, in preparing and distributing petitions among the labor organizations, on questions that we wished to bring the whole influence of the Labor Party to bear on in the House.

It would be impossible, in the space usually allowed to reports of this kind, to give a detailed account of all the work done by your Committee, such as sending copies of bills to the different centers of population and corresponding with members of the Order on questions affecting their particular calling, and where bills were of a general character to send them to the leaders everywhere, asking their advice and assistance in pressing or opposing them, as the case might require, waiting on Deputy Ministers or the Ministers, where some injustice had been done some member of our Order, or seeking some change in the tariff asked for by some trade, talking and arguing with members to explain to them our requirements and asking them to support our cause in the House, and carrying on general correspondence in connection with our duties, all of which took the greatest part of our time, and in doing which we have done our best to serve those in whose interest we acted and in whose name we spoke.

ALFRED F. JURY,

Chairman,  
Toronto.

GEO. COLLIS,

Hamilton.

J. T. REDMOND,

Secretary,  
10 Chabouilles Square, Montreal.

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